

## R E M A R K S

Reconsideration of all grounds of rejection in the above identified application and allowance of all the claims is respectfully requested in light of the above amendments and the following remarks. Claims 1-20 remain pending herein. Claim is 1 the sole independent claim herein.

Claim 1 has been amended to recite in part that said selected single program is transmitted as Digital Video Broadcasting-Asynchronous Serial Interface (DVB-ASI) data; support for this amendment is provided in the specification at least at page 7, lines 8-12, and shown in FIG. 3.

Claims 1, 2, 4-8, 10-13 and 16-20 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Ishida (US 6,434,171) in view of Sullivan *et al.* (USP 6,662,365) ("Sullivan") and further in view of Kato *et al.* (US 6,233,255) ("Kato"). Claims 3, 9, 14 and 15 are rejected under 35 USC 103(a) as allegedly being unpatentable over Ishida, Sullivan and Kato and further in view of Pinder (US 7,065,213). Applicant respectfully traverses these grounds of rejection for the reasons indicated herein below.

The present invention, as recited in claim 1, recites an MPTS-SPTS separation device that separates a desired signal from a plurality of signals and transmits only the desired signal. An advantage of the present invention is that the separation device converts an MPTS containing a number of programs into an SPTS containing a single program, so as to provide only a required program to each subscriber (specification at page 6, lines 1-4). A sizeable savings in, for example, required bandwidth is realized.

In an exemplary embodiment of the presently claimed invention, the receiving interface 110 (shown in FIG. 3) receives an ASI input comprising MPEG-2 MPTS data received according to the DVB-ASI standard (specification at page 6, lines 9-11). After receiving data and stuffing characters, the receiving interface 110 removes the characters to transfer only pure MPEG-2 data to the MPTS-SPTS separator 120 in an 8 bit parallel fashion (Specification at page 6, lines 14-15). The separator detects a PAT packet, and analyzes PIDS of a PMT that correspond to a plurality of programs existing in the

MPEG-2 MPTS packet. The separator receives information regarding a single program selected by the user, and removes the packets associated with all programs other than the selected program, changes the PAT by deleting the PIDs associated with the selected program, and inserts the changed PAT into a stream corresponding to the selected single program. During this procedure, the separator typically provides the MPEG-2 data to the transmitting interface 140 in an 8 bit parallel fashion (specification at page 7, lines 7-8). The transmitting interface 140 carries the MPEG-2 data on a physical layer that is output as DVB-ASI data of a single program. Thus, the separator according to the presently claimed invention effectively separates a single program from a number of programs in MPTS without the associated time delay known heretofore.

With regard to the combination of Ishida, Sullivan and Kato, the combination of references fails to disclose or teach all of the elements of Applicant's claims, nor would the elements, as combined in the present claims, have been obvious to the artisan as being within the ordinary level of skill in the art.

For example, the combination of references fails as Ishida teaches a multiplexing system for multiplexing and transmitting a plurality of media signals wherein the signals are identified by SI, PID and Table IDs. Ishida shows an MPEG-2T S input and output streams (FIG. 2), Kato discloses a re-multiplexer for extracting some information and transmitting a plurality of media signals. For example, see col. 21, lines 16-26 ("[f]inally, the remultiplexing section 33 multiplexes again the packets 149a, 149b ... 149n each after abortion of the all program control information transferred from the all program control information aborting sections 44a, 44b ... 44n, information from one program 110a, 110b ... 110n, generated in the program generating sections 7a, 7b ... 7n, ... and the packet 111 containing the new unit of all program control information transferred from the all program control information generating section 8 and transmits the remultiplexed packet as program multiplexed information 121x." Sullivan discloses a system of unified parental locks that maps control parameters onto each separate native mechanism. Thus, with regard to the combination of Ishida, Kato and Sullivan, there is

no means disclosed or suggested by the combination of references to only a single program for transmission. With regard to the combination of references, there is a transmission of multiple signals. Thus the combination, without or without Pinder, for that matter, fails to disclose or suggest at least the recitation that said selected single program is transmitted as Digital Video Broadcasting-Asynchronous Serial Interface (DVB-ASI) data, as recited by present claim 1.

With regard to rejections under 35 U.S.C. §103(a), Applicant respectfully submits that the United States Court of Appeals for the Federal Circuit required a showing of an unrebutted prima facie case of obviousness (*In re Rouffet*, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998) (citing *In re Deuel*, 51 F.3d 1552, 1557, 34 USPQ2d 1210, 1214 (Fed. Cir. 1995))). According to United States Court of Customs and Patent Appeals, the predecessor to the Federal Circuit, the *prima facie* case can be established only if the prior art references, among others, teach all features in the claims (*In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1970); see also **MPEP 2143.03**), or if the claim or claims recite features as combined in the claims that would have been within the ordinary skill in the art (*KSR International Co. v. Teleflex Inc. et al.*, No. 04-1350, U.S. Supreme Court, decided April 30, 2007).

Accordingly, even if the teachings of Ishida were combined with the teachings of Sullivan and Kato (with or without Pinder), the combination fails to teach the invention described in the instant applicant. Rather, even though the Examiner refers to Kato as aborting the all-program control information, Applicant respectfully submits that the Office Action failed to disclose that Kato teaches only that other programs are multiplexed to output a multiplexed signal. Hence, the device produced by the combination of the teaching of the prior art references fails to teach the transmission of a single signal separated from the MPTS in the format as claimed..

Accordingly, the combination of the cited references fails to render obvious the invention claimed in independent claim 1 as the combination of the cited references fails to disclose all the elements recited in the claim.

For at least this reason, Applicant submits that the reasons for the rejection under 35 U.S.C. 103(a) have been overcome and respectfully requests that the rejections be withdrawn.

Applicant respectfully submits that all of claims 2-20 are patentable at least because of dependence from claim 1, which is believed patentable for the aforementioned reasons. However, individual consideration of all of the dependent claims on their own merits is respectfully requested, as the dependent claims have a separate basis for patentability.

For at least this reason Applicant respectfully submits that all grounds of rejection under 35 U.S.C. §103(a) have been overcome. Reconsideration and withdrawal of these grounds of rejection are respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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